



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

January 27, 2014

Connie Henricks
603 5th Street
Traer, Ia.

Dear Connie,

I appreciate your working with me to complete the spot check. Here is the website to check out pac'n'plays that have been recalled to ensure you do not have one that is unsafe-<http://www.cpsc.gov/>

Here is the department's site for training information. This site has approved trainings listed.http://www.dhs.iowa.gov/Consumers/Child_Care/Professional_Development.html

When you read this letter it may seem a bit overwhelming. I would suggest you sit down, take a deep breath and remember you have until March 10, 2014 to get these items into compliance.

This letter is in regards to the January 24, 2014 compliance check of your Category A, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. The following areas were out of compliance at the time of my visit:

☐ 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.

Reason determined out of compliance: You have a significant number of areas out of compliance including a number of safety issues. These include chipping and peeling lead paint, not having a first-aid kit, having cleaning supplies and hazardous materials in a cabinet accessible to a child, electrical outlets that do not have safety cap on them, electrical cords in areas over doorways that are accessible to a child, no fire extinguisher, no smoke detectors mounted in child occupied rooms, and you have been smoking in your home as evidenced by the two ashtrays I observed full of cigarette butts.

How to correct: You will need to get a fire extinguisher and mount the smoke detectors, put safety caps on all accessible electrical outlets, either move the cleaning supplies to another area that is not accessible to a child or place a safety lock on the cabinet they are stored in and follow the agreement you signed and not allow anyone to smoke in your home. These items need to be corrected and brought into compliance by Monday, February 3, 2014.

Further you will need to vacuum daily the areas with chipping and peeling paint to ensure there are not paint chips on the floor. You need to contact a certified lead paint renovator as soon as possible and have them either instruct you on how to safely remove the paint or have them do the work.

☐ 110.5(1)a Numbers for police, fire, ambulance, poison information posted by phone.

☐ 110.5(1)a Numbers for each child's parent, physician, and a responsible person are accessible by the phone.

Reason determined out of compliance: You did not have these numbers recorded or posed near the phone.

How to correct: You can use the sheet I left with you for this. Complete the form by putting you emergency numbers and child's parents, physician and a responsible person and post it by your phone.

☐ 110.5(1)b All medicines and poisonous, toxic, or otherwise unsafe materials are secured from access by a child.

Reason determined out of compliance: I observed you have cleaning supplies, paint and other toxic materials stored in a cabinet under the kitchen sink. This cabinet does not have a safety lock on it and thus the hazardous materials are accessible to a child. Your medicines were in an area a child could climb on the counter to access them.

How to correct: You agreed to move the medicines to a cabinet that is not accessible to a child. You need to either move the hazardous materials from the cabinet under the kitchen sink and place them in an area that is not accessible to a child or place a safety lock on the cabinet they are stored in.

☐ 110.5(1)c First-Aid supplies are available and easily accessible in the home, outdoor play area, any vehicle used to transport children, and on field trips.

☐ 110.5(1)c The first-aid kit is sufficient to address first aid related to minor injury or trauma and stored in an area not accessible to children.

Reason determined out of compliance: You stated you do not have a first-aid kit or first-aid supplies available to treat a minor injury or trauma.

How to correct: Purchase a first-aid kit and supplies required to treat minor injuries. Johnson and Johnson has a 170 item first-aid kit which has the required items in it.

☐ 110.5(1)d Medicines are given only with written authorization from the doctor or parent.

If you have a child that you will need to give medicines to (prescription or non-prescription) use the form I left with you and have the parents complete and sign it.

☐ 110.5(1)e Electrical wiring shall be maintained.

☐ 110.5(1)e All accessible electrical outlets are safely capped.

Reason determined out of compliance: I observed accessible electrical outlets in the play room and dining room that did not have a safety cap on them.

How to correct: Place safety caps on these outlets as soon as possible and make sure all electrical outlets remain safely capped.

☐ 110.5(1)e All electrical cords are properly used. This means not found under rugs, over hooks, through door openings, etc.

Reason determined out of compliance: I observed electrical wiring above two doors in hour home in the living room area that is the main are used for child care.

How to correct: You will need to either tack down and cover these cords or have them

run along the floor and cover them.

☐ 110.5(1)j Emergency and disaster plans for fire and tornado are written and posted by primary and secondary exits.

☐ 110.5(1)j The plans shall clearly map building evacuation routes in case of fire, a safe place indoors in case of tornado, and flood shelter areas.

Reason determined out of compliance: I observed you did not have an emergency and disaster plan written and posted by either of the exits from the home.

How to correct: You can use the form I left with you for emergency plans. Draw a map showing evacuation routes and write a plan on where to go in the event of a fire or tornado.

☐ 110.5(1)k Fire and tornado drills are practiced monthly and documentation kept.

Reason determined out of compliance: You stated you have not been practicing these drills. You must practice them monthly and document the dates and times they were done.

How to correct: I gave you a form to use for this. Practice fire and tornado drills with the children in care every month and document it on this form.

☐ 110.5(1)m Has not less than one 2A 10BC rated fire extinguisher in a visible and readily accessible place on each child-occupied floor.

Reason determined out of compliance: You stated you do not have a fire extinguisher.

How to correct: You need to acquire a 2A 10 BC rated fire extinguisher as soon as possible and place it in a visible and readily accessible place.

☐ 110.5(1)n Has a minimum of one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway.

Reason determined out of compliance: I observed you have brackets mounted to hold smoke detectors but they did not have a smoke detector in them. You stated the batteries were dead and you need to replace them.

How to correct: Replace the batteries and mount your smoke detectors in all rooms occupied by children in your care.

☐ 110.5(1)n Each smoke detector is tested monthly, and a record is kept for inspection purposes.

Reason determined out of compliance: You stated you have not been testing the batteries in your smoke detectors.

How to correct: You must test the batteries in your smoke detectors monthly and document this on the form I gave you.

☐ 110.5(1)o Smoking and the use of tobacco products is prohibited at all times in the home and vehicles used to transport children. Smoking and use of tobacco products prohibited in outdoor play area during hours of operation.

Reason determined out of compliance: I observed two ashtrays in your home- one in the dining room and one in the upstairs bedroom and both were full of cigarette butts. Per this requirement there is a total smoking ban in your home twenty hours a day and seven days a week.

How to correct: You must not allow smoking in your home or in a vehicle used to transport children.

☐ 110.5(1)o Nonsmoking signs posted at every entrance of the home and in every vehicle used to transport children. Signs include telephone # for reporting complaints, and www.iowasmokefreeair.gov.

Reason determined out of compliance: You stated you do not have No Smoking signs posted at either entrance to the home.

How to correct: I left you signs to use for this. Post them at both entrances to your home and in any vehicle used to transport children.

☐ 110.5(1)q All dogs and cats have annual examinations. Records of the exams are on file and must verify that routine immunizations are current and animal is free of endo and ecto parasites.

Reason determined out of compliance: You did not have documentation available your pets are current on their immunizations (rabies) or that they are free of endo and ecto parasites.

How to correct: I gave you a Pet Health Certificate form you need to have your vet fill out and sign for both pets to meet his requirement.

☐ 110.5(1)q All animal waste is immediately removed from the children's areas and properly disposed of.

Reason determined out of compliance: I observed a cat litter box in the bathroom full of cat feces. This is an area children use and thus they have access to pet waste.

How to correct: Since this is an area used by children you will need to either move this to another area or make it as inaccessible as you can and make sure it is cleaned several times daily to ensure children do not have access to animal waste.

☐ 110.5(1)u The provider has written policies about caring for mildly ill children and the exclusion of children due to illness, and informs parents of policies.

☐ 110.5(1)v The provider has written policies about responding to health-related emergencies.

Reason determined out of compliance: You did not have a written policy for either of these requirements.

How to correct: Use the sheets of information I left with you as a guide and write your policies for Mildly Ill and Health-related emergencies. Child Care Resource and Referral can assist you in writing these to ensure they meet this requirement.

☐ 110.5(1)w Injury report forms are maintained for any injury requiring first aid or medical care. The forms are completed on the date of occurrence, shared with parents and copies are in the child's file.

You stated you have not had any injuries to children in your care. I am enclosing a form you can use in the event you have a child that has an injury that requires first-aid or medical care.

☐ 110.5(1)x For homes built prior to 1960, provider must complete visual assessment for lead hazards and apply necessary interim controls prior to registration and each renewal

Reason determined out of compliance: You stated your home is quite old and you were not sure when it was built, but that it was certainly prior to 1960. I did a visual inspection with you and we identified a number of areas with chipping and peeling paint. I observed paint chips on the floor in several of these areas.

Areas we identified with chipping and peeling paint included these areas:

The front door frame and areas around the entry to your home- paint chips were observed on the floor

The play room- both windows and along the floor boards- paint chips were found on the floor

The door frame around the entry to the second floor

The dining room along the floor boards

The door frame to the bedroom

The frame around the entry to the kitchen

The windows in the bedroom and kitchen

How to correct: You will need to complete the Lead Paint Assessment form I left with you noting all the areas of chipping/peeling paint. You will need to write the interim plan you will use while getting these areas renovated and the lead paint safely removed.

Rebecca Traver of the Marshalltown Lead Hazard Control Program -serving Marshall, Tama, and Hardin Counties- (641) 754-6583 is a resource you can call about possible funding to help with the renovation. She can also give you a list of persons certified to do the work for you.

Rebecca stated that funds are available and that a few child care providers have been approved for funding already. Rebecca stated that any child care provider (caring for children under 6 years of age) in Tama County with Lead Paint concerns may/are encouraged to apply.

I have enclosed the application and instructions on how to apply. I would suggest you call Rebecca first to make sure the funding is still available.

☐ 110.5(2) A provider file is maintained and contains:

☐ 110.5(2)a A physician's signed statement of health and immunization status on the provider and all members of the household who may be present when children are in the home. Statements must be obtained at the time of initial registration and updated every two years.

Reason determined out of compliance: You did not have this information available for review. You were not sure you have had a physical on household members in the last 2 years.

How to correct: I gave you a couple of copies of the Provider Physical Examination Report form to use for this. You will need to have this form completed by the physician that does/did your physical for both you and your daughter.

☐ 110.5(2)b Certificates or training verification documentation for:

☐ 110.5(2)b Within the first three months of registration:

- ☐ 110.5(2)b Two hours of approved child abuse and neglect mandatory reporter training (and every 5 years thereafter.)

Reason determined out of compliance: You did not have any documentation you have completed this training.

How to correct: Get a copy of the training certificate if you have taken this training. If you not have taken this training you can do so on-line at the following website-

WHO: This training is designed for child care providers

WHAT: **Mandatory Child Abuse Reporter Training for Child Care Providers**

WHERE: On-Line, start at this link <http://dhs.training-source.org> You must register by entering your provider number

- ☐ 110.5(2)b Certification by an approved trainer/organization in infant and child first-aid that includes mouth-to-mouth resuscitation. Certification will be maintained throughout period of registration. If they are unable to locate first aid training that includes mouth-to-mouth resuscitation, they must complete both a first aid course and CPR.

Reason determined out of compliance: You did not have any documentation you have completed this training.

How to correct: Get a copy of the training certificates if you have taken this training showing the date they will expire. If you need to take this training you can call Child Care Resource and Referral for classes offered in your area.

- ☐ 110.5(7) Meals

- ☐ 110.5(7) Regular meals, midmorning snacks and mid-afternoon snacks are well balanced, nourishing, and appropriate amounts as defined by the USDA Child and Adult Care Food Program.

I was not able to determine compliance for this item as you do not utilize the Child and Adult Care Food Program You agreed to record the meals and snacks you serve for a week and send me that list. I have enclosed the CACFP guidelines as a reference for you.

- ☐ 110.5(8) Children's Files

- ☐ 110.5(8) An individual file is maintained for each child and updated annually or when there are changes. Each file contains:

You did not have any file information for the children in your care. I gave you the parent of the children in your care a Child Intake Sheet and Emergency Medical Authorization for her to complete and sign. Below is all the required information for a child's file. You need to have this information when a child starts in your care. I am enclosing a few of these forms for you to have.

- ☐ 110.5(8)a Identifying information including, at a minimum, the child's name, birth date, parent's name, address, telephone number, special needs of the child and the parent's work address and telephone number.

- ☐ 110.5(8)b Emergency information including where the parent can be reached, the name, street address, city and telephone of the child's regular doctor, and the name number, telephone number, and relationship to the child of another adult available in case of emergency.

- ☐ 110.5(8)c A signed medical consent from the parent authorizing emergency treatment.

- ☐ 110.5(8)d For infants and preschoolers: An admission physical examination, on the first day of attendance, including past health history, status of present health, allergies and restrictive

conditions, and recommendations for continued care when necessary. The date of the exam is not more than 12 months before the child's first day of attendance.

☐ 110.5(8)e For infants and preschoolers: A statement of health signed by a physician submitted annually.

☐ 110.5(8)f A list signed by the parent which names persons authorized to pick up the child, their telephone number, and relationship to the child.

☐ 110.5(8)g A signed and dated immunization certificate provided by the state department of public health.

☐ 110.5(8)i Written permission from the parent(s) for their child to attend activities away from the child development home. It must include times of arrival and departure, destination, and person(s) responsible for the child.

Reason determined out of compliance: You shared you take children on walks and to the park but did not have written permission from the parents to do so.

How to correct: I have enclosed a field trip form you can use to meet this requirement.

Here is a clarification from our program manager on this.

It would be acceptable to have a time limited (6mo/year) general permission slip for walks in the neighborhood and/or walks to a neighborhood park so long as the permission slip included a disclosure that these walks would occur on various days (weather/numbers/staffing permitted) throughout the authorized time period. It would be helpful to include a statement on the permission slip that indicated the walks would generally occur between TIME A and TIME B (knowing this was not an exact time limitation). Additionally, the form should always include the persons responsible for the children while they are away from the CDH.

☐ 110.5(9) The provider meets the following requirements:

☐ 110.5(9)c Gives consistent, dependable care.

Reason determined out of compliance: Due to the significant number of compliance issues you are not providing consistent, dependable care.

How to correct: Correct all areas determined to be out of compliance by March 10, 2014.

Please note you need to contact me by 4:30 p.m. on Monday February 3, 2014 that the items have been corrected and brought into compliance:

You have acquired a fire extinguisher

You have mounted the smoke detectors and they are in working order

You have put safety caps on all accessible electrical outlets

You have moved the cleaning supplies to an area that is not accessible to a child or place a safety lock on the cabinet they are stored in

You have moved the medicines to an areas that is secured from access by a child

We talked about options you have with regard to your registration. If you decide to remain registered you will need to correct all items listed in this letter as out of compliance.

You could change to a nonregistered provider and you would not be required to take any training other than Infant and Child first-aid and CPR. I have enclosed a pamphlet for you with information on the requirements for being nonregistered child care provider.

The third option would be to withdraw your registration as you are only providing care to three children and are not required to be registered.

I have enclosed a copy of the Corrective Action Safety Plan we signed at the end of the meeting on January 24, 2014. Please note you have agreed you will provide care to no more than three children and not enroll any additional children into your child care program, that you will not allow anyone to smoke in your home, and you will take the necessary steps to renovate the areas of chipping and peeling lead-based paint and develop a plan for interim controls until that is done.

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations by March 10, 2014.**

☐ Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home. This visit will occur on March 10, 2014 at 9:30 a.m.

Please do not hesitate to contact me at DHS at toll free 866-534-3112 or 319/892-6803 if you have any questions regarding this letter.

Sincerely,

Dale Garlinghouse
Social Worker II

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 319-321-2725- Denise Rhodes.

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html and you can sign up for training at <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).